

SIKKIM



GOVERNMENT **GAZETTE**

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**GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK**

No. 21/LD/P/2012

Dated 28.08.2012

NOTIFICATION

The following Act passed by the Sikkim Legislative Assembly and having received the assent of the Governor on 6th day of June, 2012 is hereby published for general information:-

THE SIKKIM SHOPS AND COMMERCIAL ESTABLISHMENTS (AMENDMENT) ACT, 2012

(ACT No. 21 of 2012)

AN

ACT

further to amend the Sikkim Shops and Commercial Establishments Act, 1983.

Be it enacted by the Legislature of Sikkim in the sixty- second Year of the Republic of India as follows:-

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| Short title extent and commencement | 1. (1) This Act may be called the Sikkim Shops and Commercial Establishments (Amendment) Act, 2012. (2) It extends to the whole of Sikkim. (3) It shall come into force on the date of its publication in the Official Gazette. |
| Amendment of section 2 | 2. In the Sikkim Shops and Commercial Establishments Act, 1983 (hereinafter referred to as the said Act), for the existing sub-section (32) of section 2, the following shall be substituted, namely:- |

"(32) "year" means the financial year commencing from the 1st day of April and ending on 31st day of March of the following".

Amendment of section 56

3. In the said Act, for the existing section 56, the following shall be substituted, namely:-

"56. The employees shall be entitled to gratuity as per the provisions of the Payment of Gratuity Act, 1972 and the rules framed thereunder."

Insertion of new section 78 A

4. In the said Act, after section 78, the following new section shall be inserted, namely:-

(1) "78A. Composition of certain offences 78A. (1) Save as provided in sections 74 and 75, any of certain offences, may either before or after the institution of the prosecution, be compounded by any officer not below the rank of Joint Labour Commissioner, authorized by the Government, by notification, for an amount which shall not be less than five hundred rupees and not exceeding two thousand rupees."

(2) "(2) On payment of such sum under sub-section (1), the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the said offence:

Provided that if a person commits similar offence again within the period of one year from the date of composition of first offence, the same shall not be compounded."

**R.K Purkayastha(SSJS)
L.R-cum-Secretary,
Law Department.**